



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

ENVIRONMENTAL IMPACT COMMISSION
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ENVIRONMENTAL IMPACT COMMISSION
MINUTES
City Council Chambers
Wednesday, June 8, 2022
7:00 p.m.

ROLL CALL:

Chairman Bernard Gallo called the meeting to order at 7:00 p.m. Present by roll call were: Tom Giegler, Geoff Herald, and Mary Cronin. Staff present: Secretary Mary Larkin and Public Health Inspector Abby Lewis attended remotely. Absent were Mark Massoud, Matt Rose, and Alex Wolk.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Dr. Mary Cronin.

ACCEPTANCE OF MINUTES: Minutes of May 25, 2022

Motion to accept the minutes of May 25, 2022 was made by Mary Cronin; seconded by Geoff Herald. All in favor with Ayes from: Mary Cronin, Tom Giegler, Geoff Herald, and Bernard Gallo.

The next regular meeting is scheduled for **June 22, 2022**

NEW BUSINESS: None

OLD BUSINESS:

#1164 74 Sugar Hollow Road, Keeler Property Holdings, LLC, Neil R. Marcus, Esq., applicant, (G25009), IL-40 & LCI-40 Zones

Motion to approve a summary ruling with 11 conditions of approval for regulated activity No. 1164, 74 Sugar Hollow Road, was made by Tom Giegler; seconded by Geoff Herald. All in favor with Ayes from Mary Cronin, Tom Giegler, Geoff Herald, and Bernard Gallo.

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BY: *KC*

#1168 59 Mill Plain Road, Steve MacNicholl for 61 Old Mill Plain, LLC, (D14046), CA-80 Zone for storm water galleries.

Motion to approve a summary ruling with six conditions of approval for regulated activity No. 1168, 59 Mill Plain Road, was made by Tom Giegler; seconded by Mary Cronin. All in favor with Ayes from Mary Cronin, Tom Giegler, Geoff Herald, and Bernard Gallo.

VIOLATIONS: 21A Virginia Avenue, Danbury, CT

Click here for: [Cease & Desist Order & Response](#)

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Paul Szymanski, P.E. of Arthur Howland & Associates passed out new plans and remarked that they met on site with Mr. Gallo, Tom Giegler, and Abby Lewis to review the conditions. Based on the conditions, he prepared a grading and erosion control plan.

Mr. Szymanski said they noted an encroachment of fill on the Oliveira property, so they will remove the fill from the neighbor's property. There are three areas of wetlands encroachment, indicated on the plan with blue hatch and blue crosses, so they are proposing to remove the encroachments and plant with a New England wetland plants seed mix and a specific wet mix. The steep slope will be cut back at a 2:1 grade and at 10' they are proposing a reverse bench which will distribute the storm water and direct it to multiple rip rap aprons eliminating potential for concentrated erosion. They will create a very large berm that goes onto his own personal property outside of the conservation easement which prevents his use not only of the conservation easement but also a portion of his property. They have been able to balance the cuts and fills--about 2500 cu.yds. of material movement here.

Mr. Szymanski confirmed at the last rain event that the pipe is collapsed, and there is no longer concentrated runoff to wetlands. The water coming down the driveway will be captured by the berm and will have to infiltrate it and will not go into the wetlands. Mr. Gallo asked if the neighbors know that material will be taken off of their property. Mr. Szymanski said he would reach out to them. Mr. Gallo reminded Mr. Szymanski and the Board that they are still waiting to have the soil tested for contaminants. Abby Lewis will coordinate the testing date with Michael O'Connor. Mr. Szymanski thinks the soil is "organic" enough for the vegetation to establish. The whole conservation area will be fully vegetated per Mr. Szymanski when Mr. Gallo asked if there would be removal of fill from the conservation area. Mr. Szymanski said the piles will be smoothed out to one smooth berm with a good sized slope, 3' higher than his lawn area, preventing usage of the area. He suggested a split-rail fence along conservation easement line. Stormwater coming down the slope will be caught in a swale and then will go down rip rap so that there is no potential for erosion into the wetlands.

Geoff Herald said he has to go back and look at it again. Tom Giegler said he wants to see periodic visits to make sure what is being asked is being done. Paul Szymanski said that whatever the Commission wants for reporting they can comply with and Mr. Cote is in agreement. Bernard Gallo said the soil needs to be tested, and they will meet with Paul Szymanski again. Tom Giegler asked if the plan is approved, can Paul Szymanski provide a time line? Mr. Szymanski anticipates two months. Mr. Paul Szymanski offered to meet with anyone who wants to go to the site.

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Motion to table Notice of Violation for 21A Virginia Avenue until the next regular meeting on June 22, 2022 was made by Geoff Herald; seconded by Mary Cronin. All in favor with Ayes from Mary Cronin, Tom Giegler, Geoff Herald, and Bernard Gallo.

ADJOURNMENT:

Motion to adjourn was made by Geoff Herald; seconded by Mary Cronin. All in favor with Ayes from Mary Cronin, Tom Giegler, Geoff Herald, and Bernard Gallo. Meeting adjourned at 7:16 p.m.

Respectfully submitted,



Mary S. Larkin
Recording Secretary